

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW L. KOLACZOWSKI,

Defendant.

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8:10CR418

ORDER

This matter is before the court on the oral motion of defendant Matthew L. Kolaczowski for a six month extension of time. The motion was made during a hearing on January 9, 2013. The oral motion will be granted to the extent set forth below.

IT IS ORDERED:

1. Trial of this matter will be continued to April 2, 2013, before Chief Judge Laurie Smith Camp and a jury.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from January 9, 2013, and April 2, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 9th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge